

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**STUDENT DOE et al.,**

Plaintiffs,

v.

**ABINGTON FRIENDS SCHOOL et al.,**

Defendants.

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Civil Action

No. 24-1127

**AND NOW**, this 22nd day of August 2022, upon consideration of Defendant Abington Friends School's Motion to Dismiss for Failure to State a Claim (ECF No. 16), it is hereby **ORDERED** that Defendant's Motion to Dismiss is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Defendant's Motion is **DENIED** as it pertains to Count I (Breach of Contract), Count II (Violation of Title IX), Count III (Retaliation in Violation of Title IX), Count IV (Discrimination in Violation of Section 504 of the Rehabilitation Act), of Plaintiffs' Amended Complaint; and
2. Defendant's Motion is **GRANTED** as it pertains to Count V (Violation of the UTPCPL and Count VI (Negligent Infliction of Emotional Distress) of Plaintiffs' Amended Complaint.

**BY THE COURT:**

/s/ Honorable John Milton Younge  
**JOHN MILTON YOUNGE, J.**